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July 6, 2020

Honorable Edgardo Ramos
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#
DATE FILED: 7/8/2020

Consent Letter Motion

RE: United States v. Almaleh and Iotova, 17 Cr. 25 (ER)

Your Honor:

I am writing for the third time to request (with the consent of the government to the specific terms outlined below) that the Court order that I can keep the passports of both defendants, which are now in my possession, so that I can continue to accompany both defendants to various offices where they are applying for public benefits, such as subsidized housing, a New York State non-driver ID card for Mr. Almaleh, and Social Security Disability Benefits (to be reinstated) for Mr. Almaleh. (I have been deputized by co-counsel for Mr. Almaleh to provide assistance to him as well as my client, Ms. Iotova).

Fortunately we (myself along with several of my co-counsel) have been successful (over a surprisingly long period of time) to get SSI benefits, Medicaid, and for a short time, SNAP benefits), with the use of the passports as identification, but there is still more to do.

Specifically the New York Department of Motor Vehicles offices have been closed for "in person" applications, and thus we have been unable to obtain a New York non-driver ID for Mr. Almaleh (which would obviate the need for the passports for that purpose). We also just this past Friday needed the passports to assist with a bank account for the direct deposit of Mr. Almaleh's SSI benefits

which had been frozen by the bank for some reason.

I am requesting that I be permitted to maintain custody of the passports on the same terms as before (always accompanying the client in person to present the passports when needed for identification and then taking them back when the encounter is over), until either we are able to apply for the New York State non-driver identification, or for another thirty days, whichever is sooner (with leave to make an extension request). Since it is not as likely that we will need Ms. Iotova's passport (since she has a valid NY drivers' licence), I will return that to Pre-Trial Services the next time I am at the Courthouse (which at the latest will be July 20th when I am on CJA "Intake").

I have communicated with AUSA Robert Sobelman who has no objection to the proposal as I have stated it.

Thank you.

Sincerely,

/s/ Thomas H. Nooter

Thomas H. Nooter

Attorney for Defendant Iotova

cc: AUSA Robert Sobelman, Esq., by ECF

The application is ☒ granted.

☐ denied.


Edgardo Ramos, U.S.D.J.

Dated: July 8, 2020

New York, New York 10007